

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RICHARD E. KAPLAN,)
v.)
Plaintiff,) Civil Action Nos. 04-10402-NMG
FIRST HARTFORD,) 05-10320-NMG
Defendant.) 06-10424-NMG

**DEFENDANT FIRST HARTFORD CORPORATION'S
ASSENT TO TRIAL WITHOUT JURY**

In response to the Court's instruction at the April 6, 2006 final pretrial conference, defendant First Hartford Corporation hereby confirms that it has no objection to proceeding with the trial of this action, which is scheduled to commence on May 1, 2006, without a jury.

Respectfully submitted,

FIRST HARTFORD CORPORATION

By its attorneys,

/s/ Jonathan I. Handler
Jonathan I. Handler, BBO #561475
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-and-

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Dated: April 10, 2006

CERTIFICATE OF SERVICE

I, Jillian B. Hirsch, hereby certify that I have served the within *Defendant First Hartford Corporation's Assent to Trial Without Jury* by causing a copy to be mailed, first class postage prepaid and addressed to Larry C. Kenna, Choate, Hall & Stewart, Two International Place, Boston, Massachusetts, 02110, on this 10th day of April, 2006.

/s/ Jillian B. Hirsch

Jillian B. Hirsch